

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Appellant: Confirmation No.: 9426  
Rashid A. Attar Group Art Unit: 2617  
Serial Number: 10/728,035 Examiner: Figueroa, Marisol  
Filed: December 3, 2003 Attorney Docket No.: 020524  
For: OVERLOAD DETECTION IN A WIRELESS COMMUNICATION SYSTEM

REPLY BRIEF UNDER 37 C.F.R. § 41.41

Mail Stop Appeal Brief – Patents Date: December 16, 2009  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Appellants' representative submits this Reply Brief in response to the Examiner's Answer mailed October 16, 2009. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 17-0026.

**I. STATUS OF CLAIMS**

The status of the claims remains as recited in Applicants' Appeal Brief, originally filed May 15, 2009.

**II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

The status of the grounds of rejection to be reviewed remains as recited in Applicants' Appeal Brief, originally filed May 15, 2009.

### **III. APPELLANT'S COMMENTS**

Under 37 C.F.R. § 41.41, Appellants are not required to file a reply to the Examiner's Answer. However, Appellants hereby respectfully submit this Reply Brief as Appellants wish to note that the Examiner has not included any new arguments or grounds for rejection in the Examiner's Answer, but has simply maintained and substantially repeated the same arguments the Examiner asserted in the previous Office actions. Accordingly, Appellants still respectfully maintain that the claims as recited in Appellants' Brief are still allowable over the cited references.

Appellants further respectfully submit that this Reply Brief does not include any new or non-admitted amendment, or any new or non-admitted affidavit or other evidence, as required under § 41.41.

#### IV. CONCLUSION

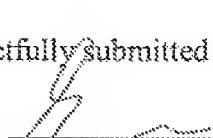
For all of the above reasons as well as the reasons previously submitted by the Appellants, the Appellants submit that the claims on appeal are patentable under 35 U.S.C. § 103(a) over the cited references. Thus, the Appellants respectfully request the Honorable Board to reverse the rejections.

Date: 12/16/04

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Respectfully submitted for Appellants,

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